

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KATHRYN ROSS-NASH,

Plaintiff(s),

v.

SUNNI ALMOND,

Defendant(s).

Case No.: 2:19-cv-00957-APG-NJK

**Order**

[Docket No. 74]

Pending before the Court is Defendant's request for referral to the *pro bono* program. Docket No. 74. Given that counsel is already representing Defendant *pro bono* in this case, the motion appears to aim at enabling the recovery of deposition-related costs from the Court. *See id.* at 6. It is not clear that such recovery is possible in this case even if it is referred, however. In particular, the motion itself represents that "Almond has incurred [those] costs" and that "Almond should not be faulted" for not seeking referral to the program earlier. *Id.* Hence, it appears that Almond herself has paid the costs at issue. On the other hand, the *pro bono* program provides for the reimbursement of certain expenses paid by counsel when the client herself has not paid those expenses. Am. Gen. Order 2019-07 at § 2(a).<sup>1</sup>

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<sup>1</sup> The governing provision states as follows:

An attorney assigned pursuant to the Program to represent a party in a proceeding before this Court may apply for reimbursement from the Court Fund of reasonable, eligible expenses not paid by the party. Before seeking reimbursement of costs, pro bono counsel must seek payment from the party, to the extent feasible.

Am. Gen. Order 2019-07 at § 2(a) (emphasis added).

1 The Court is not inclined to resolve on its merits a novel motion for referral to the *pro bono*  
2 program without an indication that there is some need to resolve such motion.<sup>2</sup> Accordingly,  
3 Defendant and her counsel must file a supplement, no later than February 10, 2021, clearly stating  
4 who (the client or the attorney) has paid the expenses identified and why they believe such  
5 expenses may be reimbursable in the event the case is referred to the *pro bono* program.<sup>3</sup>

6 IT IS SO ORDERED.

7 Dated: January 27, 2021

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Nancy J. Koppe  
United States Magistrate Judge

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<sup>2</sup> The Court expresses no opinion herein as to the merits of the motion.

28 <sup>3</sup> To the extent there is some other need for the referral, the supplement may also so specify.